

# Public Document Pack

You can view the agenda online by using a smart phone camera and scanning the code below:



**PLANNING APPLICATIONS COMMITTEE**  
**Thursday, 10 August 2023, 2.00 pm**  
**The Council Chamber, Moorlands House,**  
**Stockwell Street, Leek**

Contact Officer: Sally Hampton - Democratic Services Officer Tel: 01538 395429  
- sally.hampton@staffsmoorlands.gov.uk

6. Late Representations Report (circulated prior to the meeting i.e. any representations received since this agenda was published). **(Pages 3 - 10)**

Published 2 August 2023

Membership of Planning Applications Committee

Councillor P Wilkinson (Chair)	Councillor K Hoptroff (Vice-Chair)
Councillor B Cawley	Councillor B Emery
Councillor K Flunder	Councillor T Holmes
Councillor A Hulme	Councillor M Johnson
Councillor J Kempster	Councillor V O'Shea
Councillor I Plant	Councillor O Pointon
Councillor P Roberts	Councillor L Swindlehurst

**Available in an alternative format by prior request and  
on the Council's website: [www.staffsmoorlands.gov.uk](http://www.staffsmoorlands.gov.uk)**

This page is intentionally left blank

## PLANNING APPLICATIONS COMMITTEE

### Late Representations – 10<sup>th</sup> August 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
<p><b>SMD/2023/0197</b>  <b>Totmonslow Solar Farm</b></p>	<p><u>Planning Officer</u> – additional notes</p> <p>Regarding EIA screening and 50MW criterion. The reference to 50MW is described in the guidance to the regulations as an ‘indicative’ measure to be taken into account as part of the screening assessment process. If exceeded this may be considered an indication to suggest formal EIA may be needed. It is not an automatic or obligatory trigger for EIA. Also it refers to ‘thermal output’ and not electrical generation. The theoretical peak electrical output of this scheme is reported as 20MWp but in operation would run to a maximum of 15MW capacity. If the 50MW EIA criterion has any relevance this scheme is well below. Lower Newton is an 11.5MW scheme and SMD/2022/0160 is 27.7MW. The three together add to 54.2 MW operational electricity output. It is for the LPA to decide when screening the proposal whether there would be ‘significant effects’ from the development that are of a scale and type to mean the application should be dealt with under EIA regulations. The effects of these developments come in the form of physical developments on the ground. The officer assessment is that this scheme does not amount to EIA level development despite the adjacent schemes because they are found not to be seen in conjunction.</p> <p>Para 7.28 should refer to a 120m buffer (not 25m) and 140m buffer from the panels to the buildings – see LVIA para 4.9</p> <p>Re Oakhill (para 6.2) the submitted LVIA para 6.66 notes Oak Hill Farm is closer to the Proposed Development but is visually separated by at least one large field, and two or three in some cases depending on direction of the viewer, and these are delineated by mature hedgerows and trees.</p> <p><u>From the agent</u></p> <ul style="list-style-type: none"> <li>• Re conditions on pruning and the LEMP – please note that the application is accompanied by a management plan and detailed drawing which, while they can be finalised by condition, do provide a robust means of securing new planting and controlling how the existing and proposed landscape features are managed.</li> <li>• In paragraph 3.11 – the on-going breeding bird survey is referred to. These have now been completed. LPA to confirm regarding the extent of the offsite mitigation area if required? Typing correction on page 07 – “To” in brackets</li> <li>• Para 7.27 – should refer back to 6.38 not 6.35 as printed</li> </ul>	

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 10<sup>th</sup> August 2023**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<ul style="list-style-type: none"> <li>• 7.31 – discusses the refused scheme and the discussions regarding industrialisation effects. The submitted LVIA considers landscape character and visual effect in extended detail at section 7 pp 82 / 83 concluding at 7.16:  <i>Generally, there will be little to no significant cumulative visual effects associated with the combined schemes on the visual receptors due to limited visual inter-connectivity between the sites. It is demonstrated in the main assessment above that there are no occasions where the entire development is contained in one single view and the implementation of the Blythe Valley Solar Farm extension will also not be visually connected to the proposed Totmonslow Solar Farm Development.</i> </li> <li>• Para 7.39 refers to para 6.39 for points covered regarding ecology. There are two 6.39 one on page 19 covering cumulative effects and one on page 20 covering ecology – the latter refers             <ul style="list-style-type: none"> <li>• In the context of the Checkley Parish response, please note that the site can be connected immediately once construction has been completed.</li> <li>• Re. PRoW, the applicant has confirmed that both the definitive footpath routes and actual routes used on the ground have been accommodated within the proposed layout and so no diversions are expected to be needed. These are shown in the layout and landscaping drawing and were confirmed by the PRoW officer.</li> <li>• Landscape comments (p17-18) – a theme of the refusal was that the application had not fully considered hedges and trees and the report doesn't allay this concern whereas in fact the removal of any features, including pruning and widening of access points has been very carefully considered in the AIA.</li> <li>• Following refusal the applicant has carried out a further rigorous cumulative impact assessment which considers all receptors.</li> <li>• Separation from Highfields (para 6.38) – please note that the proposed screening hedge will be planted semi-mature (1m high) and double thickness to provide year-round screening at maturity.</li> <li>• Para 7.25 notes plans are not sufficiently clear on footpath alignment – these have been assessed and marked on scaled plans for accuracy, with amendments made to the layout pre-application to reflect these positions. On this basis applicant suggests this could be considered a scheme benefit                 <ul style="list-style-type: none"> <li>• re public comment about visibility from Oakhill Close (6.2) – the LVIA has put focus on public vantage points but viewpoints along the PRoW between the site and those</li> </ul> </li> </ul> </li> </ul>	

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 10<sup>th</sup> August 2023**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>properties have been assessed and concludes that views will mostly be screened. Views from Oakhill Close will be further away and have further existing vegetation between them and the solar farm.</p> <ul style="list-style-type: none"> <li>• The reference in para 7.28 to para 5.35 of the LVIA is incorrect – setback from Highfields is 120/140m not 25m.</li> <li>• Para 7.32 noise – please note that this has been achieved by moving all noise generating equipment further away from properties</li> <li>• Para 7.44 CCTV – the position, number and size of these are shown on the drawings so can be controlled with submitted materials.</li> <li>• Planning balance – you note that ecology is acceptable but there is a considerable biodiversity net gain which inspectors are consistently weighting as a significant benefit.</li> <li>• Dwgs 1107_11 and 1107_12 need to be added to the approved docs list</li> </ul>	
<p><b>SMD/2021/0155</b>  <b>Land to rear of Rosedale, 403, Cheddleton Road</b></p>	<p>Further letters/emails from local residents  Two objectors have made further comment after the agenda was published:</p> <p><i>It is clear how the changes to the plan reduce the oak of visibility on exiting the site, given line of sight and other properties hedges, end of properties boundaries onto a 50mph road with heavy lorries, farm vehicles and those who go faster than the speed limit. Whilst there have been no fatalities, there have been collisions and I wonder if the council need someone to die before they consider the impacts. The increase in lorries due to the factory having been approved to operate 24/7 makes the area at higher risk.</i></p> <p><i>This application has been ongoing over 2 years, where there have been sightings of Great Crested Newts, Bats along with objections from the council, highway agency and all the local residents. Cheadle Road is already a busy 50mph road, where with the new submitted plans still does not give enough room for vehicles to safely enter/exit the site. The house now has two entrances for this very reason. Also the plans mention an increased capacity for cars, but with a single track entrance what about visitors who would not be able to park on the main road or anywhere on the site? Or families that grow and have more than say 2 cars in the future? Advanced Proteins is being expanded which is to the rear of our properties and in an area with the busy main road and wagons to the site the currently arrangement of sheep in the field is surely something to be protected. This aside the houses on Cheadle Road where the</i></p>	

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 10<sup>th</sup> August 2023**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p><i>proposed houses would be built would lose all of their privacy and light into the gardens. I hope along with our neighbours comments through this application that after all this time this will be considered and planning rejected now and for any future applications.</i></p> <p>The corrected hyperlink is provided below:  <a href="http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=146546">http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=146546</a></p>	
<p><b>SMD/2023/0051 Wood Lane View Hollington Road Winnothdale</b></p>	<p>None</p>	
<p><b>SMD/2022/0664 12 Maple House Maple Grove Cheddleton</b></p>	<p>None</p>	
<p><b>DET/2023/0017 Land at North Plantation, Tenford Road Tean.</b></p>	<p><b>Applicant's Agent</b></p> <p>A couple of things that I have noticed, which is concerning with the application being put forward to the planning committee on Thursday evening, is that 5 documents have not been uploaded on the planning website, and are subsequently not referenced in your report.</p> <p>Documents that have not been uploaded:</p> <p><u>Structural Survey:</u> Where a third party surveyor explicitly highlighted that the building was capable of residential conversion.</p> <p><u>Appeal DET/2018/0002, Existing Plans, Proposed Plans, and Inspectorate report:</u> All of which demonstrated, at appeal, that a steel portal frame building which was less structurally capable of conversion than the subject building, should have been granted Class Q Prior Approval. - You were the acting planning officer for the application initially being refused.</p> <p><u>Officer's Report DET/2017/0003:</u> The report of the original Class Q application, where a number of references have been made throughout the submitted statement.</p> <p>The fact that these documents have not been uploaded, nor</p>	

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 10<sup>th</sup> August 2023**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>seem to be referenced in your report, is misleading to the members of the planning committee, who will be viewing all of the documents that were provided to be able to form their fair and open opinion.</p> <p>I would consider the structural survey, and an example that was determined at appeal, therefore setting a precedent, extremely important in the outcome of this case.</p> <p>I would therefore like for the members of the planning committee to be made aware that these documents are not available for public viewing, which may change their opinion on how you have written your officer's report.</p> <p>Whilst myself and the applicant do not agree with large parts of your report, I would just like to highlight one thing that is particularly relevant to the missing documents on the planning website.</p> <p>A section from your report:</p> <p><i>"6.10 It has already been mentioned that this application submission is identical to that refused by application reference DET/2023/0012. No additional information has been submitted relating to the actual physical works needed. Rather, the Supporting Statement focuses on how the applicant feels their scheme is be similar to other application submissions within the Staffordshire Moorlands district. References to other schemes were provided as part of the recently reused DET/2023/0012 application but irrespective of these outcomes, the fact of the matter is that two residential schemes have been refused on this site without either going to appeal. There is no new site specific evidence or appeal decision in place which would overturn the concerns regarding structural alterations. It is important to note that each application is determined on its own merits and what may be acceptable for some developments/locations, may not be acceptable in other cases, given that each building has differing characteristics."</i></p> <p>A number of applications have been provided as examples to demonstrate that this application should not have been refused.</p> <p>One of these examples is an appeal (DET/2018/0002) in the district, which was originally assessed by yourself, and overturned by an inspectorate. Existing and Proposed building plans were provided, highlighting that the building had less structural benefits than the subject barn.</p>	

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 10<sup>th</sup> August 2023**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>You mention that each building has differing characteristics, and in most cases, I would agree with you. However, a steel portal frame building is constructed to BS 5950 (EN 1993) British Standards. The stanchion size, bay width, foundation specification, can only be the same with this standard. Mr Pearce's building is built to this standard.</p> <p>The referenced appeal was allowed and is a direct comparison of the subject building and was considered by a planning inspectorate to be suitable for Class Q conversion.</p> <p>Regardless of 2 earlier schemes being refused, the planning department is supposed to have consistency in its assessment of application, and information that was provided in the later schemes, such as structural survey, existing and proposed cross sections, and a number of examples of applications in the district being permitted, highlight that this application should have also been permitted.</p> <p>For reference, I have attached the missing documents again, as well as an example of a Class Q application which was passed at the planning committee earlier this year. This barn had no walls and was only a steel portal frame clad in metal sheeting, completely open on one elevation.</p> <p><b>Officer comment</b></p> <p>In response to the above officers would comment as follows:</p> <p>The documents that have been referred to are available on the web and links are provided below:</p> <p><u>Structural Survey:</u></p> <p><a href="http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/AttachmentShowServlet?imageName=337184">http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/AttachmentShowServlet?imageName=337184</a></p> <p><u>Appeal DET/2018/0002, Existing Plans, Proposed Plans, and Inspectorate report:</u></p> <p><a href="http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=120336">http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=120336</a></p> <p><u>Officer's Report DET/2017/0003:</u></p> <p><a href="https://democracy.highpeak.gov.uk/documents/s1766/North%20">https://democracy.highpeak.gov.uk/documents/s1766/North%20</a></p>	



**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 10<sup>th</sup> August 2023**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p><a href="#">Plantation.pdf</a></p> <p>With regard to the various examples which have been cited, of Class Q barn conversions which have been approved elsewhere, including those allowed on Appeal, as Members will be aware, it is fundamental planning principle that each case must be judged on its own merits. Every building is individual and the amount of work required to make it into a habitable condition and the circumstances of each case will be different.</p> <p>Whilst all such buildings are likely to comply with BS 5950 (EN 1993) British Standards in terms of the stanchion size, bay width, &amp; foundation specification, the cladding, openings, access, and general condition can all vary.</p> <p>Again, Members are advised that the current application must be judged on its own merits and on the circumstances of this case.</p>	
<b>SMD/2023/0286</b> <b>24 Park Lane</b> <b>Knypersley</b>	None	

This page is intentionally left blank